

REMARKS

Applicants thank the Examiner for the detailed Office Action dated November 17, 2005. Applicants respectfully request reconsideration of the present application in view of the reasons that follow.

Claims 1-31 were pending in the application. Claims 6 and 9-13 are requested to be cancelled without prejudice or disclaimer. All of the remaining claims are being amended except claims 16 and 18-19. Claims 32-44 are being added. After amending the claims as set forth above, claims 1-5, 7-8, and 14-44 are now pending in this application.

For simplicity and clarity purposes in responding to the Office Action, Applicants' remarks are primarily focused on the rejections to the independent claims outlined in the Office Action with the understanding that the dependent claims that depend from the independent claims are patentable for at least the same reasons (and in most cases other reasons) that the independent claims are patentable. Applicants expressly reserve the right to argue the patentability of the dependent claims separately in any future proceedings.

Claim Rejections – 35 U.S.C. § 102***Independent Claims 1, 9, 14, and 23***

On page 2 of the Office Action, independent claims 1, 9, 14 and 23 and various dependent claims were rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 6,101,917 (Klatte et al.). Applicants initially note that independent claim 9 has been cancelled without prejudice or disclaimer. Applicants respectfully traverse the rejection of the remaining independent claims. Klatte et al. does not identically disclose the subject matter recited in independent claims 1, 14, or 23.

Independent claims 1, 14, and 23 respectively recite a “fire fighting vehicle,” a “turret,” and a “vehicle,” which each respectively include, among other things, a “position sensor coupled to the second gear, the position sensor being used to determine the position of the turret based on the rotational motion of the second gear,” a “position sensor coupled to the second gear, the

position sensor being configured to provide information related to the position of the turret to the turret controller,” and a “position sensor coupled to the second gear, the position sensor being used to determine the position of the apparatus based on the rotational motion of the second gear,” none of which is not identically disclosed in Klatte et al.

Applicants note that it is unclear what is being relied on in Klatte et al. to show the position sensor recited in independent claims 1, 14, and 23. The portion of Klatte et al. referenced in the Office Action as showing the position sensor, i.e., col. 4, lines 45-67, seems to refer to the operator being able to move the turret 12, but does not appear to disclose a position sensor. To the extent that the Patent Office is interpreting some component described in col. 4, lines 45-67 as a position sensor, Applicants request further explanation of exactly what is being interpreted as the position sensor and the rationale for interpreting that component as a position sensor, especially since it appears that nothing described in this portion of Klatte et al. would ordinarily be considered a position sensor.

Applicants also note that there are additional limitations recited in independent claims 1, 14, and 23 that further distinguish Klatte et al. For example, independent claim 14 recites a “turret controller which uses feedback control to control rotation of the turret relative to the vehicle,” which is not identically shown in Klatte et al.

Accordingly, Applicants respectfully submit that independent claims 1, 14, and 23 and the claims which are dependent thereon are not anticipated by Klatte et al. under 35 U.S.C. § 102(b) and are patentable.

Claim Rejections – 35 U.S.C. § 103(a)

A number of dependent claims were rejected as being under 35 U.S.C. § 103(a). Applicants note that these claims depend from independent claims 1, 14, or 23 and thus are patentable for at least the same reasons that independent claims 1, 14, and 23 are patentable.

New Claims

Applicants have added new claims 32-44, of which only claim 32 is in independent form. New independent claim 32 recites a “vehicle” including, among other things, a “position sensor coupled to the second gear, the position sensor being used to determine the position of the turret based on the rotational motion of the second gear,” which is not identically disclosed in Klatte et al. Applicants also respectfully submit that independent claim 32 recites additional limitations that are not shown in Klatte et al. Applicants submit that new independent claim 32 as well as the new dependent claims are patentable over the references cited in the Office Action.

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Applicants respectfully submit that the present Application is in condition for allowance. Applicants request reconsideration and allowance of the pending claims. The Examiner is invited to contact the undersigned by telephone if the Examiner needs anything or if a telephone interview would advance the prosecution of the present application.

Applicants respectfully put the Patent Office and all others on notice that all arguments, representations, and/or amendments contained herein are only applicable to the present patent application and should not be considered when evaluating any other patent or patent application including any patents or patent applications which claim priority to this patent application and/or any patents or patent applications to which priority is claimed by this patent application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

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